

GOVERNMENT

SIKKIM



GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Tuesday 5th March, 2019

No. 58

**GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK**

No.: 2/LD/19

Dated: 05.03.2019

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on 28th day of February, 2019 is hereby published for general information:-

**THE SIKKIM REGULATION OF TRANSFER OF LAND (AMENDMENT) ACT, 2019
(ACT NO 2 OF 2019)**

**AN
ACT**

to amend the Sikkim Regulation of Transfer of Land Act, 2005

BE it enacted by the Legislature of Sikkim in the Seventieth Year of the Republic of India, as follows:-

- | | |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Short title,
extent and
commencement | 1. (1) This Act may be called the Sikkim Regulation of Transfer of Land (Amendment) Act, 2019.
(2) It shall extend to the whole of Sikkim.
(3) It shall come into force at once. |
| Insertion of
new Sections | 2. In the Sikkim Regulation of Transfer of Land Act, 2005, after section 3, the following new sections shall be inserted, namely:-
“3(A) – Notwithstanding anything contained in any other law for the time being in force and the provisions of section 3 of this Act, the land belonging to the person of Limboo Community of Sikkim shall not be permitted to be sold to persons belonging to any other community.
However, there shall be no bar on sale of land within the Limboo Community, provided that if a person of Limboo Community of Sikkim has a minimum holding of 3 (three) acres only, in such event, the land shall not be permitted to be sold at all in any manner.
3(B)- Notwithstanding anything contained in any other law for the time being in force and the provisions contained in this Act at section 3(A), the State Government shall have the powers to decide or pass appropriate order as may be considered expedient where a necessity has arisen for sale of land of a person with a minimum holding less than the prescribed ceiling. However, in all such cases, no action would be taken by the State Government unless the holder of the land has filed an application seeking for permission to sell. |

**K. C. Barphungpa (SSJS)
L.R.-cum-Secretary,
Law Department.**